

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

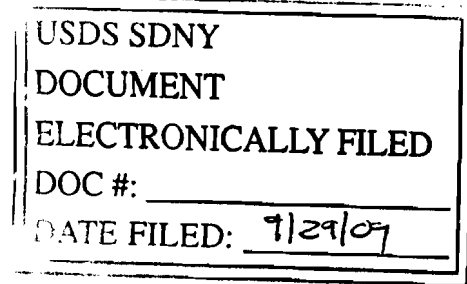
FUJIFILM U.S.A., INC.,

Plaintiff,

-v-

WAKEFERN FOOD CORPORATION,

Defendant.



No. 09 Civ. 2028 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of the parties' September 29, 2009 letter, which states that "the parties have reached a settlement in principle." Accordingly, IT IS HEREBY ORDERED that this action is dismissed with prejudice but without costs; provided, however, that within thirty days of the date of this Order, any party may apply by letter for restoration of this action to the calendar of the undersigned, in which event the action will be restored. The conference scheduled for October 1, 2009 at 9:00 a.m. is therefore canceled.

SO ORDERED.

DATED: September 29, 2009
New York, New York

RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE